

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to Provisional and International (PCT) Applications)**Attorney's Docket  
No. 003300-883

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (IF ONLY ONE NAME IS LISTED BELOW) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (IF PLURAL NAMES ARE LISTED BELOW) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

**RECOMBINANT ADENOVIRUS**

The specification of which (check only one item below):

- ☐ is attached hereto.
- ☐ was filed as United States Patent Application Number \_\_\_\_\_  
on \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).
- ☐ was filed as International (PCT) Application Number \_\_\_\_\_  
on \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE U.S. PATENT AND TRADEMARK OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any International (PCT) Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International (PCT) Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

| COUNTRY<br>(if PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 35 U.S.C. §119                            |
|-------------------------------------|--------------------|--------------------------------------|---|
| Sweden                              | 9902601-5          | 6 July 1999                          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                     |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

60/143,632  
(APPLICATION NUMBER)14 July 1999  
(FILING DATE)\_\_\_\_\_  
(APPLICATION NUMBER)\_\_\_\_\_  
(FILING DATE)

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)**  
**(Includes Reference to Provisional and International (PCT) Applications)**

Attorney's Docket  
No. 003300-883

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or International (PCT) Application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations § 1.56, which became available between the filing date of the prior application(s) and the national or international filing date of this application:

PRIOR U.S. APPLICATIONS OR INTERNATIONAL (PCT) APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:

| U.S. APPLICATIONS                     |                  | STATUS (check one)                         |                          |                          |
|---------------------------------------|------------------|--|--------------------------|--------------------------|
| U.S. APPLICATION NUMBER               | U.S. FILING DATE | PATENTED                                   | PENDING                  | ABANDONED                |
|                                       |                  | <input type="checkbox"/>                   | <input type="checkbox"/> | <input type="checkbox"/> |
|                                       |                  |  |                          |                          |
|                                       |                  |  |                          |                          |
| PCT APPLICATIONS DESIGNATING THE U.S. |                  |  |                          |                          |
| PCT APPLICATION NO.                   | PCT FILING DATE  | U.S. APPLICATION NUMBERS ASSIGNED (if any) |                          |                          |
| SE00/01390                            | 30 June 2000     |  |                          |                          |
|                                       |                  |  |                          |                          |
|                                       |                  |  |                          |                          |

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

|                           |        |                         |        |                        |        |
|---------------------------|--------|-------------------------|--------|------------------------|--------|
| William L. Mathis         | 17,337 | Eric H. Weisblatt       | 30,505 | Bruce T. Wieder        | 33,815 |
| Robert S. Swecker         | 19,885 | James W. Peterson       | 26,057 | Todd R. Walters        | 34,040 |
| Platon N. Mandros         | 22,124 | Teresa Stanek Rea       | 30,427 | Ronni S. Jillions      | 31,979 |
| Benton S. Duffett, Jr.    | 22,030 | Robert E. Krebs         | 25,885 | Harold R. Brown III    | 36,341 |
| Norman H. Stepno          | 22,716 | William C. Rowland      | 30,888 | Allen R. Baum          | 36,086 |
| Ronald L. Grudziecki      | 24,970 | T. Gene Dillahunt       | 25,423 | Steven M. duBois       | 35,023 |
| Frederick G. Michaud, Jr. | 26,003 | Patrick C. Keane        | 32,858 | Brian P. O'Shaughnessy | 32,747 |
| Alan E. Kopecki           | 25,813 | B. Jefferson Boggs, Jr. | 32,344 | Kenneth B. Leffler     | 36,075 |
| Regis E. Slutter          | 26,999 | William H. Benz         | 25,952 | Fred W. Hathaway       | 32,236 |
| Samuel C. Miller, III     | 27,360 | Peter K. Skiff          | 31,917 | Wendi L. Weinstein     | 34,456 |
| Robert G. Mukai           | 28,531 | Richard J. McGrath      | 29,195 | Mary Ann Dillahunt     | 34,576 |
| George A. Hovanec, Jr.    | 28,223 | Matthew L. Schneider    | 32,814 |                        |        |
| James A. LaBarre          | 28,632 | Michael G. Savage       | 32,596 |                        |        |
| E. Joseph Gess            | 28,510 | Gerald F. Swiss         | 30,113 |                        |        |
| R. Danny Huntington       | 27,903 | Charles F. Wieland III  | 33,096 |                        |        |



21839

and: \_\_\_\_\_

Address all correspondence to:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404



21839

Address all telephone calls to: \_\_\_\_\_ at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)**  
(Includes Reference to Provisional and International (PCT) Applications)

Attorney's Docket  
No. 003300-883

|  |  |                                   |  |                              |
|--|--|-----------------------------------|--|------------------------------|
| FULL NAME OF SOLE OR FIRST INVENTOR<br><b>Leif LINDHOLM</b>                          |  | SIGNATURE<br><i>Leif Lindholm</i> |  | DATE<br><b>15 March 2002</b> |
| RESIDENCE (CITY & STATE/COUNTRY)<br><b>Kullavik, SWEDEN</b> <i>SEX</i>               |  | CITIZENSHIP<br><b>Swedish</b>     |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)<br><b>Kyviksvägen 18, 429 30 KULLAVIK, SWEDEN</b> |  |                                   |  |                              |
| FULL NAME OF SECOND JOINT INVENTOR, IF ANY   |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF THIRD JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF FOURTH JOINT INVENTOR, IF ANY   |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF FIFTH JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF SIXTH JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY   |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF NINTH JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |
| FULL NAME OF TENTH JOINT INVENTOR, IF ANY  |  | SIGNATURE                         |  | DATE                         |
| RESIDENCE (CITY & STATE/COUNTRY)   |  | CITIZENSHIP                       |  |                              |
| POST OFFICE ADDRESS (HOME ADDRESS)   |  |                                   |  |                              |

Attorney's Docket No. 003300-883Applicant or Patentee: Leif LindholmApplication or Patent No.: 10/019,566Filed or Issued: December 31, 2001For: RECOMBINANT ADENOVIRUS**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. § § 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:☒ an official of the small business concern empowered to act on behalf of the concern identified below:NAME OF CONCERN GOT-A-GENE ABADDRESS OF CONCERN Holtermansgatan 1B, 412 92 GÖTEBORG, SWEDEN

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41 (a) and 41 (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled

RECOMBINANT ADENOVIRUSby inventor(s) Leif LINDHOLM

described in

☐ the specification filed herewith☒ Application No. SE00/01390, filed 30 June 2000☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

Application Serial No. 10/019,566  
Attorney's Docket No. 003300-883

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual      ☐ small business concern      ☐ nonprofit organization

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual      ☐ small business concern      ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING TED TERNANDER

TITLE OF PERSON OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING Gundefjällsg. 32

SE-431 51 Mölndal, Sweden

SIGNATURE  DATE 15 March 2002